

State of California
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
SPECIAL MEETING AGENDA
Wednesday, August 24, 2005
Sacramento, California
West Covina, California
10:00 A.M.

ROLL CALL:

Candice A. Traeger, Chairwoman
Robert Pacheco, Board Member
Marcy V. Saunders, Board Member

Recess to Closed Session to discuss matters pursuant to Government Code sections 11126 (a), (c) (3), and (e) and Labor Code sections 6609 and 6620.

SPECIAL MEETING NOTICE
FOR
WEDNESDAY, AUGUST 24, 2005
10:00 A. M.

2520 Venture Oaks Way, Suite 300,
Sacramento, CA 95833
&
100 N. Barranca Street, Suite 410
West Covina, CA 91791

The Occupational Safety and Health Appeals Board will meet in a Special Public Meeting and Closed Session on August 24, 2005 at 10:00 a.m. A Special Meeting is necessary to timely review the ALJ Decision in the matter of DECISIONS: THE HERRICK CORPORATION, 03-R3D5-3221 AND 3222, THYSSEN KRUPP ELEVATOR, 03-R2D1-094, JAMPRO ANTENNAS, INC., 03-R2D1-1938 ORDERS: AA GONZALEZ, INC., 03-R6D2-071 THROUGH 080, AMERICAN ROOFING SUPPLY, 05-R3D5-2420, AMERIFLIGHT, INC., 04-R6D1-2264 THROUGH 2266, ANDERSON COTTONWOOD IRRIGATION DISTRICT, 04-R2D3-3572 AND 3573, ANGLES STEEL, 04-R4D4-2242 THROUGH 2244, ARAMARK UNIFORM SERVICES, 04-R2D1-4233, ARB, INC., 02-R5D3-1574 THROUGH 1576, ARBORICULTURAL SPECIALTIES, INC., 03-R1D4-2383, BMN BUILDING, INC., 04-R2D5-2680 AND 2681, BAGHOUSE & INDUSTRIAL SHEET METAL SERVICE, INC., 03-R4D4-2659, BECHTEL POWER CORP., 03-R3D2-2948, BEST DATA PRODUCTS, INC., 04-R4D3-1694, C & F FOODS, INC., 03-R4D4-2661 AND 2662, CALHOUN CONSTRUCTION, INC., 04-R2D4-1742, CASTLEROCK DEVELOPMENT, 04-R4D5-142, CHAMPION CONTRACTORS, INC., 03-R2D1-2192, CISCO BROTHERS, 04-R6D2-581 THROUGH 593, CISCO

BROTHERS CORP., 04-R6D2-1992 THROUGH 1994, CLASSIC DISTRIBUTING & BEVERAGE GROUP, INC., 04-R4D4-1375, COUNTRY BUILDERS, INC., 04-R1D4-2854 THROUGH 2856, COUNTRY BUILDERS, INC., 04-R1D4-2857 THROUGH 2862, D.A. POPE, INC., 03-R1D3- 1889, DIABLO CONTRACTORS, INC., 03-R1D5-1242, FLOREZ PAVING, 03-R2D1- 1320 AND 1321, FRIAR TUX SHOPS, 04-R3D1-1442 THROUGH 1444, GENESIS CONSTRUCTION, 04-R3D3-1674 AND 1675, GOODWILL INDUSTRIES OF THE SACRAMENTO VALLEY, 03-R2D1-1732 THROUGH 1734, HARRIS CONSTRUCTION COMPANY, INC., 03-R2D5-3175, HERSHEY CHOCOLATE & CONFECTIONERY CORPORATION, 04-R2D4-3574 THROUGH 3577, HOPE SHINE INVESMENT GROUP LLC, 03-R4D2-4955, DR. HORTON, 03-R2D1-3064, 03-R2D1-3137 THROUGH 3139, JCR DEBURRING, 04-R3D1-1667, JDH ROOFING INC., 04-R3D3-1767, JADE, INC., 03-R4D2-2215, KEMP PLASTERING, INC., 03-R4D5-2236 THROUGH 2239, KIBO GROUP, 04-R4D1-2380 THROUGH 2382, KOREA TIMES, 03-R1D4-2048 THROUGH 2050, FRED H. LUNDBLADE, JR. dba: LUNDBLADE BUILDERS, 03-R6D1-703 THROUGH 705, MBC CONSTRUCTION INC., 04-R3D3-2372 AND 2373, McMURRAY & SONS ROOFING, 02-R2D3-3976, MACBETH APARTMENT SYSTEMS, INC., 04-R3D2-1139, MANGIAGLI MANUFACTURING, 04-R4D1-798 THROUGH 801, MASONITE INTERNATIONAL, 04-R2D4-3625, ONSHORE TECHNOLOGIES, INC., 03-R3D5-5071 AND 5072, ORANGE COAST TITLE COMPANY, 04-R3D1-018, PALISADES DEVELOPMENT GROUP, 04-R4D1-1777 AND 1778, POUCHES, INC., 04-R3D3-1353 AND 1354, PRODUCTION FRAMING SYSTEMS, INC., 03-R2D1-2193, R & A ROOF STRUCTURES, INC., 04-R3D1-1532 AND 1533, RADIANT SERVICES c/o CALIFORNIA BUSINESS UNITED, 04-R4D1-802 AND 803, RALPH COPUS ASPHALT, INC. dba RLPH COPUS ASPHALT, 04-R4D5-1380 AND 1381, ROBERT MANUFACTURING CO., 05-R3D3-031, ROBERT MANUFACTURING COMPANY, 04-R3D3-842 THROUGH 845, SHOE PAVILION CORPORATION, 04-R2D5-2889, SIMPSON SHOWCASE COMPANY, 03-R6D2-1870 THROUGH 1879, SOLID GOLD HEALTH PRODUCTS FOR PETS, INC., 04-R3D2-095 THROUGH 099, SOUTH COAST STRUCTURAL, INC., 03-R4D3-2292 AND 2293, SYSTEMS AUTOMATED CONTROLS, INC., 03-R4D4-2227 AND 2228, TARGET CORPORATION, 03-R4D2-2216, TEMPWERKS, INC., 03-R4D2-2343, THE DESERT SUN PUBLISHING CO., 04-R3D3-1352, TIMEC CO., INC., 05-R3D5-2247, USS CAL BUILDERS INC., 03-R4D1-3590 AND 3591, VCC, 03-R4D3-2168 THROUGH 2170, , VALLARTA, 04-R4D3-1695, CITY OF VICTORVILLE, 02-R3D3-4175 AND 4176, VIKING EQUIPMENT CORP. AND J & G INDUSTRIES, A JOINT VENTURE, 04-R4D1-1452, WILSON EXCAVATION & GRADING, 04-R4D5-810 AND 811, WINWARD SILKS, 03-R1D4-500 THROUGH 502, YOUNG ELECTRIC SIGN COMPANY, 04-R3D7- 1622 THROUGH 1624 prior to the next regularly noticed Public Meeting and Closed Session of September 8, 2005.

A special meeting is warranted under Government Code Section 11125.4 to consider issuance of legal opinions and to discuss potential pending litigation.

DECISION OF ADMINISTRATIVE LAW JUDGE:

(Written decision issued by an Administrative Law Judge. The decision summarizes the evidence received from the Division of Occupational Safety & Health and the Employer, makes findings of fact for all issues involved in the appeal and gives reasons and grounds for the decision. The Board Members review the decision and decide if they will reconsider the ALJ decision on their own motion.)

1. JAMPRO ANTENNAS, INC., 03-R2D1-1938
2. THE HERRICK CORPORATION, 03-R3D5-3221 AND 3222
3. THYSSEN KRUPP ELEVATOR, 03-R2D1-094

ORDERS OF ADMINISTRATIVE LAW JUDGES:

(Written order issued by an Administrative Law Judge after a pre-hearing conference in which the Division of Occupational Safety & Health and the Employer agree to settle an appeal without a hearing. The Board Members review the order and decide if they will reconsider or remand the issued order.)

1. AMERICAN ROOFING SUPPLY, 05-R3D5-2420
2. AMERIFLIGHT, INC., 04-R6D1-2264 THROUGH 2266
3. ANDERSON COTTONWOOD IRRIGATION DISTRICT, 04-R2D3-3572 AND 3573
4. ANGLES STEEL, 04-R4D4-2242 THROUGH 2244
5. ARAMARK UNIFORM SERVICES, 04-R2D1-4233
6. ARB, INC., 02-R5D3-1574 THROUGH 1576
7. ARBORICULTURAL SPECIALTIES, INC., 03-R1D4-2383
8. BMN BUILDING, INC., 04-R2D5-2680 AND 2681
9. BAGHOUSE & INDUSTRIAL SHEET METAL SERVICE, INC., 03-R4D4-2659
10. BECHTEL POWER CORP., 03-R3D2-2948

11. BEST DATA PRODUCTS, INC., 04-R4D3-1694
12. C & F FOODS, INC., 03-R4D4-2661 AND 2662
13. CALHOUN CONSTRUCTION, INC., 04-R2D4-1742
14. CASTLEROCK DEVELOPMENT, 04-R4D5-142
15. CHAMPION CONTRACTORS, INC., 03-R2D1-2192
16. CISCO BROTHERS, 04-R6D2-581 THROUGH 593
17. CISCO BROTHERS CORP., 04-R6D2-1992 THROUGH 1994
18. CLASSIC DISTRIBUTING & BEVERAGE GROUP, INC., 04-R4D4-1375
19. COUNTRY BUILDERS, INC., 04-R1D4-2854 THROUGH 2856
20. COUNTRY BUILDERS, INC., 04-R1D4-2857 THROUGH 2862
21. D.A. POPE, INC., 03-R1D3- 1889
22. DIABLO CONTRACTORS, INC., 03-R1D5-1242
23. FLOREZ PAVING, 03-R2D1- 1320 AND 1321
24. FRIAR TUX SHOPS, 04-R3D1-1442 THROUGH 1444
25. GENESIS CONSTRUCTION, 04-R3D3-1674 AND 1675
26. GOODWILL INDUSTRIES OF THE SACRAMENTO VALLEY, 03-R2D1-1732 THROUGH 1734
27. HARRIS CONSTRUCTION COMPANY, INC., 03-R2D5-3175
28. HERSHEY CHOCOLATE & CONFECTIONERY CORPORATION, 04-R2D4-3574 THROUGH 3577
29. HOPE SHINE INVESMENT GROUP LLC, 03-R4D2-4955
30. DR. HORTON, 03-R2D1-3064, 03-R2D1-3137 THROUGH 3139
31. JCR DEBURRING, 04-R3D1-1667

32. JDH ROOFING INC., 04-R3D3-1767
33. JADE, INC., 03-R4D2-2215
34. KEMP PLASTERING, INC., 03-R4D5-2236 THROUGH 2239
35. KIBO GROUP, 04-R4D1-2380 THROUGH 2382
36. KOREA TIMES, 03-R1D4-2048 THROUGH 2050
37. FRED H. LUNDBLADE, JR. dba: LUNDBLADE BUILDERS, 03-R6D1-703
THROUGH 705
38. MBC CONSTRUCTION INC., 04-R3D3-2372 AND 2373
39. McMURRAY & SONS ROOFING, 02-R2D3-3976
40. MACBETH APARTMENT SYSTEMS, INC., 04-R3D2-1139
41. MANGIAGLI MANUFACTURING, 04-R4D1-798 THROUGH 801
42. MASONITE INTERNATIONAL, 04-R2D4-3625
43. ONSHORE TECHNOLOGIES, INC., 03-R3D5-5071 AND 5072
44. ORANGE COAST TITLE COMPANY, 04-R3D1-018
45. PALISADES DEVELOPMENT GROUP, 04-R4D1-1777 AND 1778
46. POUCHES, INC., 04-R3D3-1353 AND 1354
47. PRODUCTION FRAMING SYSTEMS, INC., 03-R2D1-2193
48. R & A ROOF STRUCTURES, INC., 04-R3D1-1532 AND 1533
49. R.B. FENCE CO., 04-R4D1-1882 THROUGH 1884
50. RADIANT SERVICES c/o CALIFORNIA BUSINESS UNITED, 04-R4D1-802
AND 803
51. RALPH COPUS ASPHALT, INC. dba RLPH COPUS ASPHALT, 04-R4D5-
1380 AND 1381
52. RALPHS GROCERY CO., 04-R4D1-2390

53. ANGELINA S. RIVERA dba: JA RECYCLING CENTER, 04-R2D1-3263
54. ROBERT MANUFACTURING CO., 05-R3D3-031
55. ROBERT MANUFACTURING COMPANY, 04-R3D3-842 THROUGH 845
56. SHOE PAVILION CORPORATION, 04-R2D5-2889
57. SIMPSON SHOWCASE COMPANY, 03-R6D2-1870 THROUGH 1879
58. SOLID GOLD HEALTH PRODUCTS FOR PETS, INC., 04-R3D2-095
THROUGH 099
59. SOUTH COAST STRUCTURAL, INC., 03-R4D3-2292 AND 2293
60. SYSTEMS AUTOMATED CONTROLS, INC., 03-R4D4-2227 AND 2228
61. TARGET CORPORATION, 03-R4D2-2216
62. TEMPWERKS, INC., 03-R4D2-2343
63. THE DESERT SUN PUBLISHING CO., 04-R3D3-1352
64. TIMEC CO., INC., 05-R3D5-2247
65. USS CAL BUILDERS INC., 03-R4D1-3590 AND 3591
66. VCC, 03-R4D3-2168 THROUGH 2170
67. VALLARTA, 04-R4D3-1695
68. CITY OF VICTORVILLE, 02-R3D3-4175 AND 4176
69. VIKING EQUIPMENT CORP. AND J & G INDUSTRIES, A JOINT
VENTURE, 04-R4D1-1452
70. WILSON EXCAVATION & GRADING, 04-R4D5-810 AND 811
71. WINWARD SILKS, 03-R1D4-500 THROUGH 502
72. YOUNG ELECTRIC SIGN COMPANY, 04-R3D7- 1622 THROUGH 1624

Adjournment of Special Meeting

The next Public Meeting/Closed Session is scheduled
Thursday, September 8, 2005
10:00 A.M.
Cal/OSHA Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
&
100 N. Barranca Street, Suite 410
West Covina, CA 91791

**For Further Information
Contact**

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